

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                           |   |                                |
|---------------------------|---|--------------------------------|
| JESSIE TOMPKINS, SR.,     | ) |                                |
|                           | ) |                                |
| Plaintiff,                | ) |                                |
|                           | ) |                                |
| v.                        | ) | CIVIL ACTION NO. 2:06CV325-WKW |
|                           | ) | [WO]                           |
| JUDGE JOHN JONES, et al., | ) |                                |
|                           | ) |                                |
| Defendants.               | ) |                                |

**ORDER ON MOTION**

For good cause, it is

ORDERED that the City of Montgomery's Motion to Sever, filed on 30 May 2006 (Doc. # 37), is DENIED. The court has submitted the City's Motion to Dismiss, in the interest of judicial economy. This order should not be construed as a ruling on the severability of the plaintiff's claims against the City of Montgomery.

DONE this 5<sup>th</sup> day of June, 2006.

/s/ Vanzetta Penn McPherson  
VANZETTA PENN MCPHERSON  
UNITED STATES MAGISTRATE JUDGE

